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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON GEORGE RIVERA,

Defendant,

ON TIME HEATING AND AIR
CONDITIONING, LLC,

Garnishee.

CASE NO. CR 14-00355-001 RS

**SECOND MODIFIED WRIT OF
CONTINUING GARNISHMENT**

(WAGE GARNISHMENT)

TO: On Time Heating & Air Conditioning LLC
Attn: Shannon McKinley, Payroll Manager
7020 Commerce Drive, #E
Pleasanton, CA 94588

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YOU ARE HEREBY COMMANDED TO GARNISH FOR THE BENEFIT OF THE UNITED STATES OF AMERICA PROPERTY IN YOUR POSSESSION IN WHICH THE DEFENDANT-JUDGMENT DEBTOR HAS A SUBSTANTIAL NONEXEMPT INTEREST.

The name, last known address, and last four digits of the social security number of the person who is the defendant-judgment debtor (“defendant”) in this action and whose property is subject to this Second Modified Writ are, as follows:

Jason George Rivera
29 Mountain Valley Pl.
Danville, CA 94506

and

Jason George Rivera
696 San Ramon Valley Blvd., #304
Danville, CA 94526

Social Security Number (last four digits): XXX-XX-7500

This Second Modified Writ has been issued at the request of the United States of America to enforce the collection of a criminal judgment entered in favor of the United States against the defendant for a debt in the original amount of \$2,045,507.00. As of March 1, 2024, there is a balance due of approximately \$2,116,030.08 plus interest. The United States is entitled to recover a surcharge of ten percent (10%) of the amount of the balance (\$213,480.33) on the original Writ issued on March 13, 2023 (“original Writ”) pursuant to 28 U.S.C. § 3011(a). Thus, the total amount sought by this action based on the original Writ is \$2,329,510.41.

The following are the steps that you must take to comply with this Second Modified Writ. If you have any questions, you should consult with your attorney.

1. Pursuant to 28 U.S.C. § 3205(c)(2)(F), if you have in your custody, control, or possession any property of the defendant (including nonexempt disposable earnings from his wages, salary, commissions or bonuses) in which the defendant has a substantial nonexempt interest, or if you obtain custody, control, or possession of such property while this Second Modified Writ is in effect, you must immediately withhold such property from the defendant and remit such property in accordance with the

enclosed stipulated court order. With respect to the defendant's wages, salary, commissions or bonuses; you must withhold ten percent (10%) of such amount(s) after all deductions required by law have been withheld. See 28 U.S.C. §§ 3205(a) and 3002(9). The existing withholding shall continue from the paycheck payable to Defendant immediately upon entry of this Second Modified Writ, and continuing until the paycheck payable to Defendant on or about March 15, 2024.

2. The Garnishee shall resume garnishment of 25% of Defendant's non-exempt disposable earnings, unless otherwise directed by court order, on the first paycheck payable to Defendant after March 15, 2024.

IF YOU FAIL TO WITHHOLD PROPERTY IN ACCORDANCE WITH THIS WRIT, THE UNITED STATES MAY PETITION THE COURT FOR AN ORDER REQUIRING YOU TO APPEAR BEFORE THE COURT TO ANSWER THE WRIT AND TO WITHHOLD PROPERTY IN ACCORDANCE WITH THE WRIT BEFORE THE APPEARANCE DATE. IF YOU FAIL TO APPEAR OR DO APPEAR AND FAIL TO SHOW GOOD CAUSE WHY YOU FAILED TO COMPLY WITH THIS WRIT, THE COURT WILL ENTER A JUDGMENT AGAINST YOU FOR THE VALUE OF THE DEFENDANT'S NONEXEMPT INTEREST IN SUCH PROPERTY (INCLUDING NONEXEMPT DISPOSABLE EARNINGS). THE COURT MAY ALSO AWARD A REASONABLE ATTORNEY'S FEE TO THE UNITED STATES AND AGAINST YOU IF THE WRIT IS NOT ANSWERED WITHIN THE TIME SPECIFIED HEREIN AND IF THE UNITED STATES FILES A PETITION REQUIRING YOU TO APPEAR.

MARK B. BUSBY,
Clerk of Court
United States District Court
for the Northern District of California

Dated: 03/04/2024

By:


Deputy Clerk